

# Agenda

## Town of Seekonk, MA Planning Board

5/14/13  
7:00 PM  
Seekonk Town Hall  
BOS Meeting Room

Type of meeting: Planning Board Regular Meeting, Public Hearing

**Agenda topics** – More information on each item can be found on our website – [www.seekonk-ma.gov](http://www.seekonk-ma.gov) under Departments>Planning>Agenda Items

7:00 PM

Public Hearing	Zoning Bylaw Amendment: Section 9.8-Solar Photovoltaic Overlay District	Applicant: Fisk Family Realty Trust
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Public Hearing	Zoning Map Amendment: Portion of Plat 35, Lot 26 zoned R-4 to be rezoned Industrial	Applicant: Fisk Family Realty Trust
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Public Hearing	Zoning Bylaw Amendment: Temporary Moratorium on Medical Marijuana Treatment Centers	Planning Board
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	Partial Covenant Release: Tall Pines	Applicant: Stonegate Builders
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	Surety Establishment: Pine Hill Estates	Applicant: Najas Realty
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	Form A: Plat 9, lot 208; 9-17 County St.	Applicant: JMV Realty
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Public Hearing	Community Priority Area Update	SRPEDD
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Correspondence:

Approval of Minutes: 4/9/13

Adjournment

**ARTICLE X:** To see if the Town will vote to amend the zoning by-laws SECTION 9.8. SOLAR PHOTOVOLTAIC FACILITY OVERLAY DISTRICT, as follows, or take any other action relative thereto:

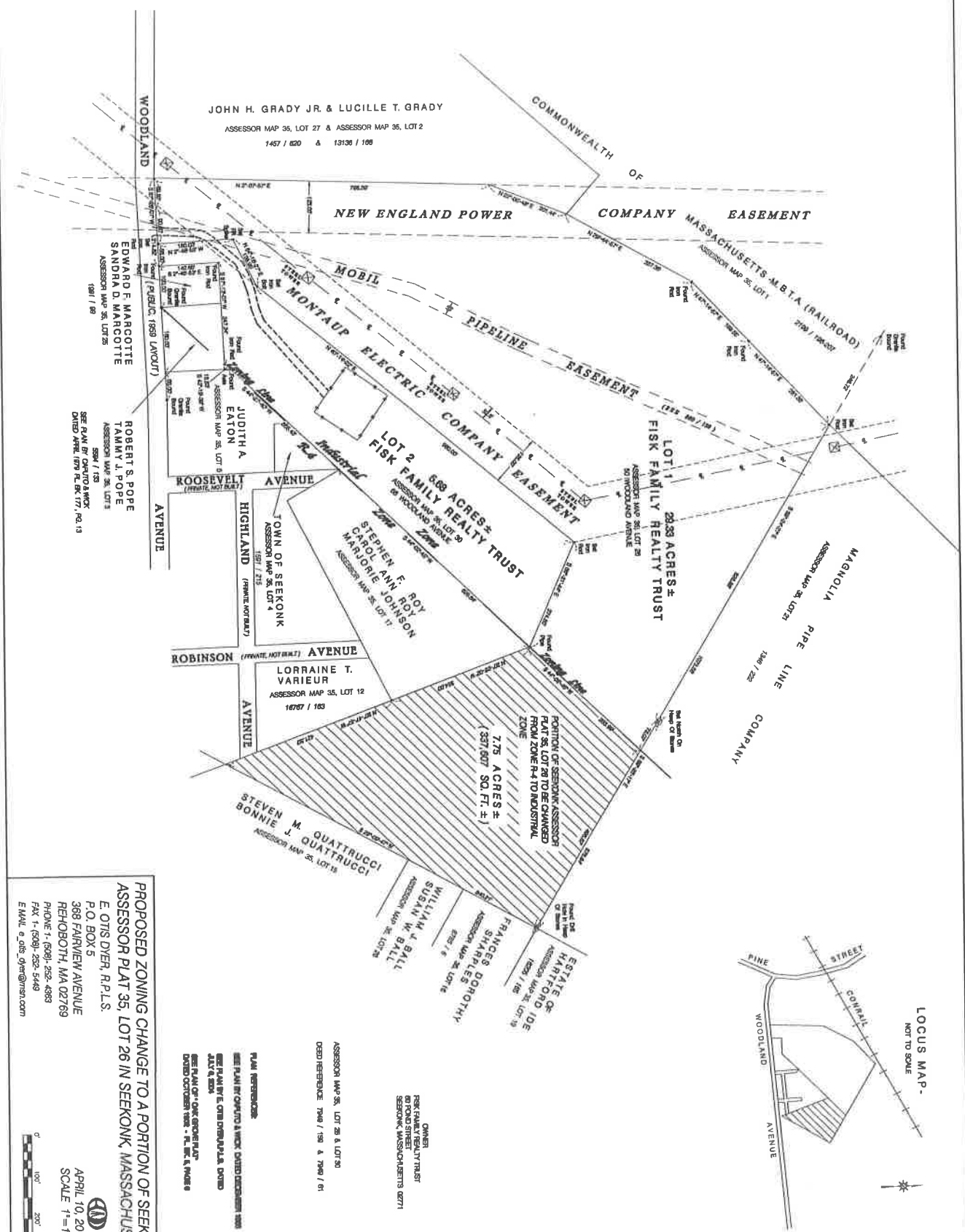
**9.8 SOLAR PHOTOVOLTAIC FACILITY OVERLAY DISTRICT**

**9.8.6 LOCATION**

The SPF District shall be defined as all lands within the Industry Districts ~~located in the southeastern area of the Town, bordered to the east by the Town of Rehoboth, to the south by the Town of Swansea, to the north by the Town's Residential 4 zoning district and to the west by the Town's Residential 3 Zoning District~~ as shown on the Seekonk, Massachusetts, Zoning Map dated 1979 and amendments

**ARTICLE**

To see if the Town will vote to amend the zoning designation of the portion of Assessors Plat 35, Lot 26 zoned R-4, containing approximately 7.75 acres, to Industrial.



PROPOSED ZONING CHANGE TO A PORTION OF SEEKONK  
ASSESSOR MAP 35, LOT 26 IN SEEKONK, MASSACHUSETTS  
E. OTIS DYER, R.P.L.S.  
P.O. BOX 5  
368 FAIRVIEW AVENUE  
REHOBOTH, MA 02769  
PHONE 1-(800)-252-4383  
FAX 1-(800)-252-5449  
E MAIL: e.otis.dyer@msn.com

APRIL 10, 2013  
SCALE 1"=100'

SEE PLAN BY CHARTER & WICK, DATED DECEMBER 1999  
SEE PLAN BY E. OTIS DYER, R.P.L.S., DATED  
JULY 4, 2003  
SEE PLAN OF "ONE GENERATION"  
DATED OCTOBER 1998 - P.L. 86, A. 1948 &

ASSESSOR MAP 35, LOT 26 & LOT 30  
DEED REFERENCE 7948 / 158 & 7949 / 61

OWNER  
FISK FAMILY REALTY TRUST  
RECORDS MASSACHUSETTS 02771

#### **ARTICLE:**

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 26, **TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS**, that would provide as follows, and further to amend the Table of Contents to add Section 26, "Temporary Moratorium on Medical Marijuana Treatment Centers" or take any action relative thereto:

#### **26.1 PURPOSE**

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

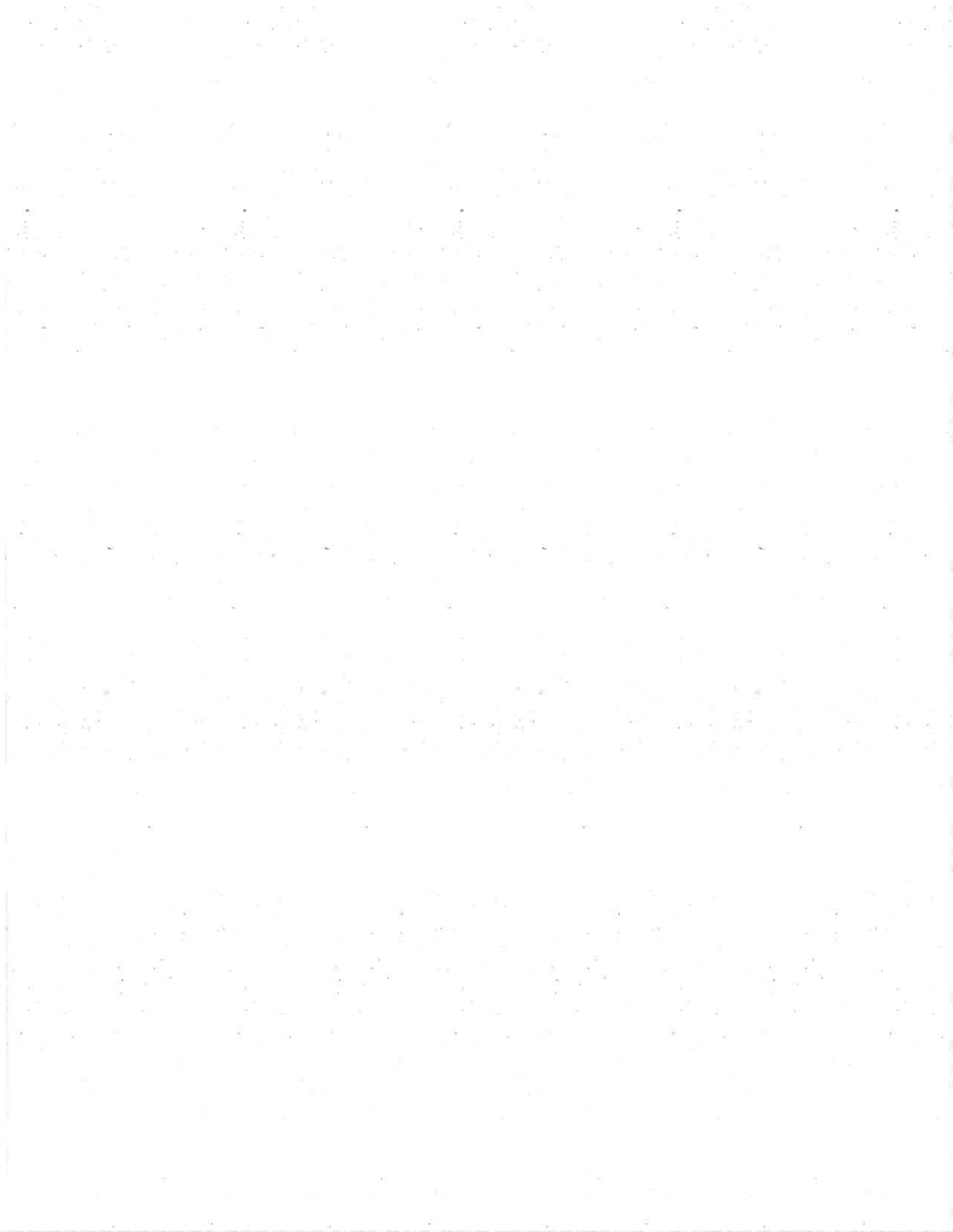
#### **26.2 DEFINITION**

"Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

#### **26.3 TEMPORARY MORATORIUM**

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations Regarding Medical Marijuana

Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.





**Planning Board**  
100 PECK STREET  
SEEKONK, MASSACHUSETTS 02771  
1-508-336-2961

**MEMORANDUM**

To: The Planning Board

From: John P. Hansen Jr., AICP, Town Planner

Date: March 13, 2013

Re: Tall Pines – Partial Covenant Release

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The applicant for Tall Pines has requested a partial covenant release for said subdivision. The original construction cost estimate of  $\pm$ \$750K has been reduced to  $\pm$ \$292K based on the work that has been completed by the applicant and inspected and approved by the Board's inspector, GPI.

The method of surety proposed by the developer is to keep a covenant over three (3) lots within the development (lots 5-7) and release the covenant from 3 lots (8-10). Based on the average purchase price of other subdivision lots in town at \$125K, a covenant for 3 lots appears to be adequate to cover the remaining construction costs. This office would recommend releasing the covenant on lots 8, 9 & 10 in Tall Pines.





Catch Basin	9	EA	\$2,700	\$24,300	\$2,200 per CB + \$500 for F&G
Man Holes	1	EA	\$2,700	\$2,700	\$2,200 per DMH + \$500 for F&C
STC	4	EA	\$8,000	\$32,000	\$8,000 was min. bid on recent project in Freetown
Pipe	300	LF	\$45	\$13,500	\$50/ft for 15-inch HDPE pipe per MassDOT unit prices.
Infiltration Systems	1	LS	\$30,000	\$30,000	
3" TO 6" Diam. RIP RAP	100	CY	\$15	\$1,500	
Pre-Acceptance CB/MH Cleaning	14	EA	\$200	\$2,800	
				\$106,800	
<b>WATER</b>					
8" CLDI	1000	LF	\$60		\$60/ft per latest MassDOT unit prices (includes fittings, testing, etc.),
8" GV	3	EA	\$1,300		
8" X 10" X 10" TAP	1	EA	\$6,000		
8" BENDS	6	EA	\$0		Included item under 8" WATER MAINS in Form J
8" X 6" Reducer	2	EA	\$0		Included item under 8" WATER MAINS in Form J
BLOW OFF ASSEMBLY	1	EA	\$0		Included item under 8" WATER MAINS in Form J
1" Water Services	14	EA	\$500		
Test and Chlorinate	1	LS	\$0		Included item under 8" WATER MAINS in Form J
Hydrant Assembly	2	EA	\$3,500		
				\$83,900	
<b>UTILITIES</b>					
Utility Trench and Backfill for Conduit	600	LF	\$6		Included item under MISC. UNDERGROUND UTILITIES in Form J
Utility Trench Sand	800	CY	\$12		Included item under MISC. UNDERGROUND UTILITIES in Form J
Electric Cost	600	LF	\$5		Included item under MISC. UNDERGROUND UTILITIES in Form J
Warning Tape	8	EA	\$50		Included item under MISC. UNDERGROUND UTILITIES in Form J
				\$16,600	
<b>FINAL SITE PREP</b>					
Trees and landscape Island	34	EA	\$450	\$15,300	Included item under LOAM & SEED/MISC. WORK in Form J
Re-Spread Loam (Swales)	100	CY	\$5	\$500	Included item under LOAM & SEED/MISC. WORK in Form J
Hydroseed - (ROW, pond,swales)	1	DAY	\$2,000	\$2,000	
Signs	2	EA	\$100	\$200	
Post rail fence	1100	LF	\$5	\$5,500	
As-bult	1	LS	\$5,000	\$5,000	Included under RECORD PLANS, P.E. CERT & DEED in Form J
Miscellaneous Work/Cleanup	1	LS	\$5,000	\$5,000	Included item under LOAM & SEED/MISC. WORK in Form J
Street Monuments	21	EA	\$300	\$6,300	
Iron Pipes (Easement)	21	EA	\$100	\$2,100	
Guardrail	500	LF	\$24	\$11,750	Included item under LOAM & SEED/MISC. WORK in Form J
Bridge Acceptance/Ratings Report	1	LS	\$10,000	\$10,000	
T.M. Acceptance	1	LS	\$3,000	\$3,000	Included item under T.M. Acceptance in Form J
				\$66,650	

INSPECTIONS  
Engineer

1 LS \$14,160

TOTAL

10% Contingencies  
Construction Management (10%)  
Maintenance (2%)  
SUBTOTAL  
Inflation (6%)  
TOTAL GUARANTY

\$589,876  
\$58,988  
\$58,988  
\$11,798  
\$719,649  
\$43,179  
\$762,828

TOTAL 363,530 442,730  
36,000 79,200  
36,000  
7,200  
26,560

TOTAL \$469,293  
± \$ 292 710. new



**Planning Board**  
100 PECK STREET  
SEEKONK, MASSACHUSETTS 02771  
1-508-336-2961

**MEMORANDUM**

To: The Planning Board

From: John P. Hansen Jr., AICP, Town Planner

Date: April 17, 2013

Re: Pine Hill Estates – Surety Establishment

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The applicant for Pine Hill Estates has requested the establishment of surety to guarantee construction of said subdivision. The construction cost estimate, ±\$375K, has been reviewed by the Board's inspector, GPI, and found to be an appropriate estimate of the proposed construction.

The method of surety proposed by the developer is a covenant over three (3) lots within the development, expiring in 12 months. Based on the average purchase price of other subdivision lots in town at \$125K, a covenant for 3 lots appears to be adequate to cover the construction costs. This office would recommend establishing a covenant for lots 1, 2, & 3 in Pine Hill Estates, expiring on May 14, 2014.







**Planning Board**  
100 PECK STREET  
SEEKONK, MASSACHUSETTS 02771  
1-508-336-2960

To: The Planning Board  
From: John P. Hansen Jr., AICP, Town Planner  
Date: May 2, 2013

**APPROVAL NOT REQUIRED REVIEW (ANR)**  
**JMV Realty – Plat 9, Lot(s) 208 – 9-17 County St.**

**Summary:** The applicant has submitted a request for an Endorsement of a Plan Believed Not to Require Approval.

**Findings of Fact:**

**Existing Conditions**

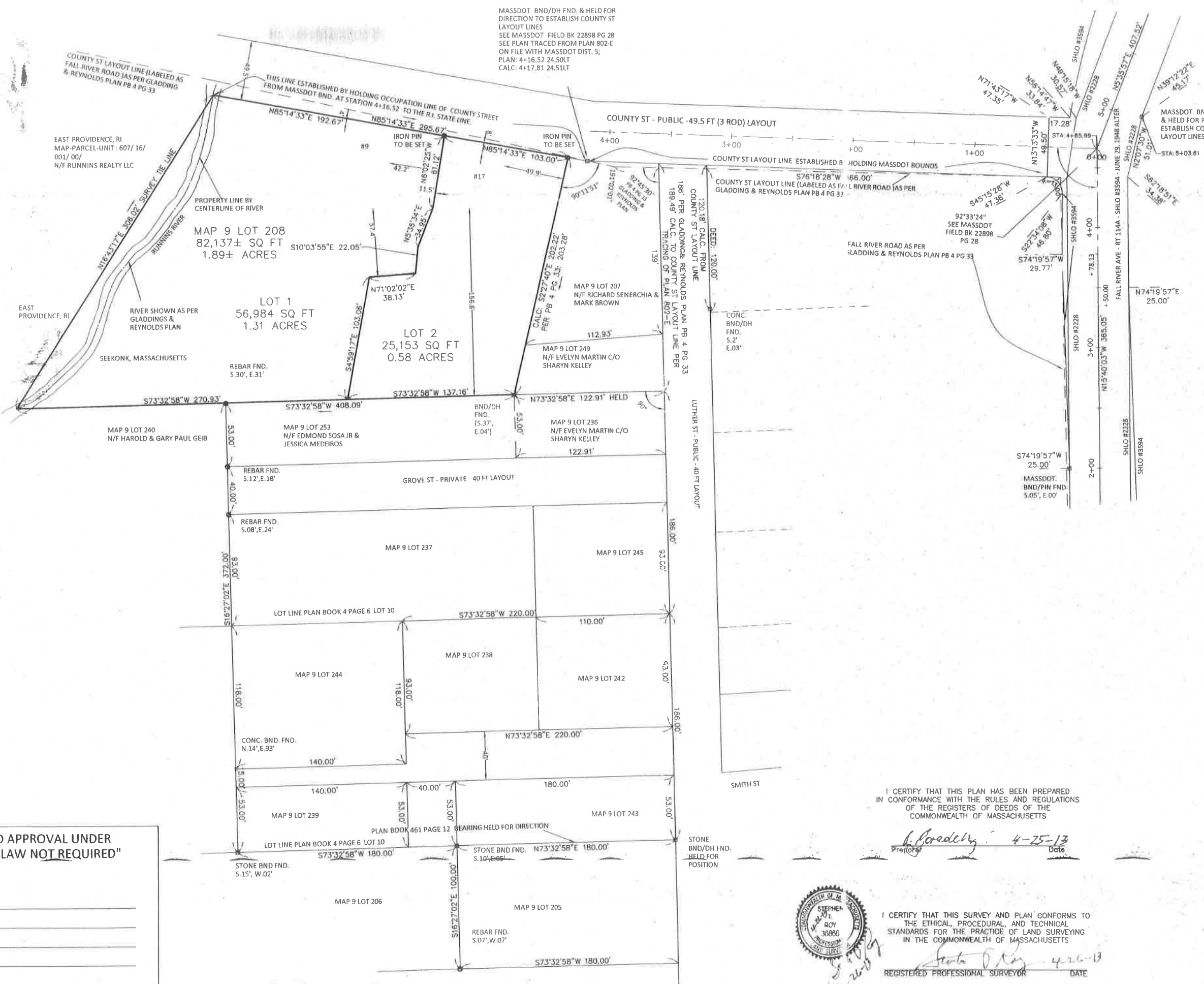
- 1.88 acre lot with two single-family dwellings zoned R-1.

**Proposed Lot Amendments:**

- Split into two lots, each with over 100' lot frontage minimum and access from County St.

**Recommendation:**

Staff recommends approval of this application as it meets the exemption clause within the definition of a subdivision in the Rules and Regulations Governing the Subdivision of Land for changing the size of lots in such a manner so as to not leave any lot affected without the proper frontage.



ASSESSOR'S REFERENCES:  
MAP 9 LOT 208  
ZONING REFERENCES:  
ZONING R-1  
PLAN REFERENCES:  
PLAN BOOK 461 PAGE 12  
PLAN BOOK 301 PAGE 16  
PLAN BOOK 4 PAGE 33  
MASSDOT LAYOUT #2228  
MASSDOT LAYOUT #3594  
MASSDOT TRACING FROM PLAN 802-E  
MASSDOT FIELD BOOK 22898 PG 28  
DEED REFERENCES:  
BOOK 20071 PAGE 232

ENDORSEMENT OF THIS PLAN  
SHALL NOT BE DEEMED TO  
CONSTITUTE DETERMINATION OF  
COMPLIANCE WITH  
REQUIREMENTS OF THE TOWN OF  
SEEKONK'S ZONING BY-LAW

"SEEKONK PLANNING BOARD APPROVAL UNDER  
THE SUBDIVISION CONTROL LAW NOT REQUIRED"

DATE: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED  
IN CONFORMANCE WITH THE RULES AND REGULATIONS  
OF THE REGISTERS OF DEEDS OF THE  
COMMONWEALTH OF MASSACHUSETTS

*Stephen J. Poretsky* 4-25-13  
Prepared Date



I CERTIFY THAT THIS SURVEY AND PLAN CONFORMS TO  
THE ETHICAL, PROCEDURAL, AND TECHNICAL  
STANDARDS FOR THE PRACTICE OF LAND SURVEYING  
IN THE COMMONWEALTH OF MASSACHUSETTS

*Stephen J. Poretsky* 4-26-13  
REGISTERED PROFESSIONAL SURVEYOR DATE

APPROVAL NOT  
REQUIRED PLAN

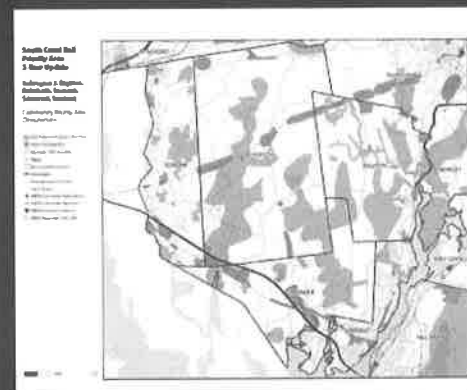
9 -17 COUNTY ST  
MAP 9 LOT 208  
SEEKONK, MA

PREPARED FOR  
JMV REALTY  
14 BERKLEY ST  
EAST PROVIDENCE, RI

SCALE 1" = 40'  
APRIL 25, 2013  
GORODETSKY ENGINEERING LLC  
422 NORTH MAIN STREET  
FALL RIVER MASS. 02720  
(508) 324-1163



SOUTH COAST RAIL



## South Coast Rail Community Priority Area 5-Year Update

### What are Priority Development Areas (PDAs)?

These are areas that are appropriate for increased development or redevelopment due to several factors including good transportation access, available infrastructure (primarily water and sewer), an absence of environmental constraints, and local support. PDAs can range in size from a single parcel to many acres. Potential development ranges from small-scale infill to large mixed-use projects. Town and village centers, Chapter 40R Districts, industrial parks, and proposed station sites are examples of PDAs.

### What are Priority Protection Areas (PPAs)?

These are areas that are important to protect due to the presence of significant natural and cultural resources including endangered species habitats, areas critical to water supply, scenic vistas, and farms. Like PDAs, the protection areas can vary greatly in size. Some sites could be candidates for protection through acquisition or with conservation restrictions and others are appropriate for limited development that is compatible with the resources present.

### Who chose the PDA and PPA locations?

During 2008 and 2009, local residents, business owners, and officials worked alongside their Regional Planning Agencies (RPAs) to designate PDAs and PPAs.

### Why are we updating our designations?

New data becomes available and priorities change. The 5-Year Update is an opportunity to confirm choices made during the 2008-2009 process, to revise previous designations, and to make new choices that acknowledge new conditions.

### What do PDAs and PPAs do for my city or town?

PDA and PPA designations can guide municipal decisions about zoning reform, infrastructure investments, and conservation efforts. Moreover, Community PDAs and PPAs serve as the foundation for developing Regional and State PDA and PPA designations.

### What is Executive Order 525 (E.O. 525)?

Gov. Patrick issued E.O. 525 in September, 2010, providing guidance on the implementation of the South Coast Rail Economic Development and Land Use Corridor Plan. Please see reverse side.

**massDOT**  
Massachusetts Department of Transportation

Executive Office  
Of Housing and  
Economic Development

OCPC

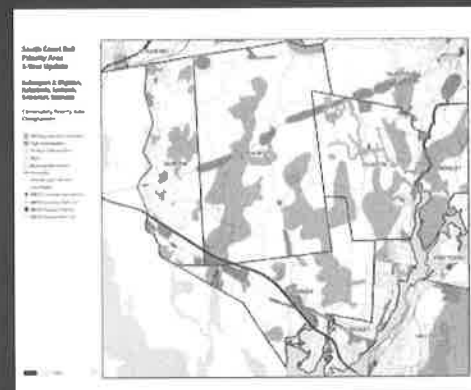
MAPC

SAPEDD





SOUTH COAST RAIL



## South Coast Rail Community Priority Area 5-Year Update

### Executive Order 525 (E.O. 525)

In fall 2010, Gov. Patrick issued Executive Order 525 (E.O. 525) providing for the implementation of the Corridor Plan and Corridor Map through state agency actions and investments. The Executive Order calls for state investments to be consistent with the Corridor Plan's recommendations to the maximum extent feasible. These state actions have the potential to leverage local and private investments in the priority areas. The Executive Order also directs state agencies to conduct a retrospective analysis to determine how consistent their actions and investments in the region have been with the Corridor Plan goals.

Based upon the issuance of E.O. 525 in fall 2010, state agencies must now consider plan consistency when making funding decisions. In order to facilitate the consideration of E.O. 525 in the decision making process, all state agencies have outlined the steps they will take to maximize compliance with the Corridor Plan into their investment decision making process. As an example of the type of actions that have been taken, many state program applications now require that applicants from the 31 cities and towns in the South Coast Corridor outline how their project is consistent with the Corridor Plan.

For more information go to:

<http://www.srpedd.org/scr-update.asp>

<http://www.mass.gov/hed/economic/eohed/pro/planning/south-coast/executive-order-525/>

Jean Fox,  
South Coast Rail Project Manager  
MassDOT  
10 Park Plaza, Suite 4150  
Boston, MA 02116  
[Jean.Fox@state.ma.us](mailto:Jean.Fox@state.ma.us)  
617-973-7314

**massDOT**  
Massachusetts Department of Transportation

Executive Office  
Of Housing and  
Economic Development

OCPC

MAPC

SRPEDD

**PRIORITY AREA ADJUSTMENTS**

The 2013 Priority Areas (PAs) are based upon the PA designations identified in 2008/2009. Many of these PAs still represent municipal growth priorities today. In most cases, revisions made to the PAs simply transition them from the “general designations” of the 2008/2009 process to more “exact designations” (both in terms of their boundaries and their stated purposes) using current Geographic Information Systems data and updated local input. In some cases, communities added new PAs or removed previous designations because (1) municipal priorities changed over time, (2) the purposes for designations were achieved or new ones arose, or (3) designations were incorporated into other PAs identified for the same purpose. The text below lists the updated 2013 PAs along with their related 2008 designations, describes their boundaries, and details their stated purposes in both 2008 (where applicable) and 2013.

**PRIORITY DEVELOPMENT AREAS**

**Route 44 West**

Rte. 114A/Rte. 44 Commercial/Redevelopment (2008)

*Purpose:* Economic Development.

Route 44 West (2013)

*Purpose:* Economic Development. Community representatives renamed this PA in order to more clearly describe its location.

*Boundaries:* Boundaries correspond to parcels within the Route 44 Corridor Study Area.

*Future Action:* The recommended strategies and actions within the Route 44 Corridor Study outline future actions.

**Route 44**

Town Center (2008, partial coverage)

*Purpose:* Commercial development and redevelopment opportunities along Route 44 near and east of Town Hall.

Route 44 (2013)

*Purpose:* Commercial development and redevelopment opportunities along Route 44 near and east of Town Center. Community representatives renamed this PA in order to more clearly describe its location.

*Boundaries:* Boundaries correspond to selected parcels with frontage on Route 44.

*Future Action:* 2012 Master Plans states that more prescriptive standards for traffic access management shall be applied along with considering modest design standards to improve the appearance of area.

**Maple Avenue Mill**

Mill Complex Maple Ave (2008, Combined PDA/PPA)

*Purpose:* Redevelopment of former mill site.

Maple Avenue Mill (2013)

*Purpose:* Redevelopment of former mill site.

*Priority Change:* Community representatives chose to change this priority designation from Combined PDA/PPA to PDA in order to emphasize redevelopment potential.

*Boundaries:* Boundaries correspond to parcel containing the former mill. Community representatives renamed this PA in order to more clearly describe its location.

*Future Action:* On-going testing being completed through EPA due to recent fire and possible contamination of soil/groundwater. Once completed, an examination of possible future actions will take place.

**Bakers Corner**

Bakers Corner Mixed-use/Village Center (2008)

*Purpose:* Mixed-use and village development.

Bakers Corner (2013)

*Purpose:* Village business development. Community representatives renamed this PA in order to more clearly describe its purpose.

*Boundaries:* Boundaries correspond to parcels within the Local Business Zoning District and 4 small potential expansion parcels (average size 0.41 acres).

*Future Action:* 2012 Master Plan calls for development of a detailed physical Master Plan to illustrate future development scenarios within Bakers Corner.

**Landfill Solar Potential**

Landfill (2008)

*Purpose:* None stated.

Landfill Solar Potential (2013)

*Purpose:* Target site for a solar field. Community representatives renamed this PA in order to more clearly describe its purpose.

*Priority Change:* Community representatives chose to change this priority designation from Combined PDA/PPA to PDA in order to emphasize alternative energy redevelopment potential.

*Boundaries:* Boundaries correspond to the landfill site's parcels.

*Future Action:* Investigate funding sources and private-public relationships to achieve purpose.

**Luthers Corners**

Luthers Corners (2008)

*Purpose:* To allow for mixed-use opportunities and to create a more livable area.

Luthers Corners (2013)

*Purpose:* To allow for mixed-use opportunities and to create a more livable area.

*Priority Change:* Community representatives chose to change this priority designation from Combined PDA/PPA to PDA in order to emphasize redevelopment potential.

*Boundaries:* Boundaries correspond to parcels within the Luther's Corners Village District

*Future Action:* 2012 Master Plan calls for development of a detailed physical Master Plan to illustrate future development scenarios within Luthers Corner. Continue to pursue State TIP funding for safety improvements identified in Luthers Corners Parking/Circulation Study.

**Route 114A and I-195 Infill**

Infill 114A & 195 (2008)

*Purpose:* Redevelopment associated with the interchange.

Route 114A and I-195 Infill (2013)

*Purpose:* Infill redevelopment. Community representatives renamed this PA.

*Boundaries:* Boundaries correspond to developed parcels near the interchange and within the Highway Business Zoning District.

*Future Action:* Consider development bonuses that could be used as part of a TDR program.

**Route 6 Commercial**

Redevelopment Professional Office (2008)

*Purpose:* Office and professional development along Route 6.

Route 6 Commercial (2013)

*Purpose:* Highway business development that responds to existing commercial development and uses. Community representatives renamed this PA in order to more clearly describe its purpose.

*Boundaries:* Boundaries correspond to Highway Business Zoning District south of I-195. The designation contains OpenCape Broadband infrastructure.

*Future Action:* Consider development bonuses that could be used as part of a TDR program.

**Route 6 Redevelopment**

Zoned Industry Industrial Redevelopment (2008)

*Purpose:* Industrial Development.

Route 6 Redevelopment (2013)

*Purpose:* Industrial Development. Community representatives renamed this PA in order to more clearly describe its location.

*Boundaries:* Boundaries correspond to a selected, undeveloped, 75-acre parcel with frontage on Route 6; the parcel is within the Industrial Zoning District. The designation contains OpenCape Broadband infrastructure.

*Future Action:* Assess feasibility of other non-reetail uses of industrial lands including renewable energy facilities.

**Briarwood Plaza**

Briarwood Plaza Neighborhood Node (2008)

*Purpose:* Neighborhood commercial node.

Briarwood Plaza (2013)

*Purpose:* Neighborhood commercial node. Community representatives renamed this PA in order to more clearly describe its purpose.

*Boundaries:* Boundaries correspond to the parcel in which the plaza is located.

*Future Action:* Encourage and support redevelopment of plaza in order to continue delivery of local good and services.

**Route 6 Mixed-Use (2013)**

*Purpose:* Mixed-use development.

*Boundaries:* Boundaries correspond to selected parcels within the Mixed-use Overlay District and with frontage on Route 6. The designation contains OpenCape Broadband infrastructure.

*Future Action:* Commission a detailed feasibility study for the area including a market analysis and infrastructure cost/benefit analysis.

**PRIORITY PROTECTION AREAS**

**Ten Mile River**

Ten Mile River (2008)

*Purpose:* To protect water resources and natural habitats.

Ten Mile River (2013)

*Purpose:* To protect water resources and natural habitats.

*Boundaries:* Boundaries correspond to undisturbed parcels abutting the river, excluding the Maple Avenue Mill PDA.

*Future Action:* Continue to investigate and encourage land protection measures.

**Oak Woods**

Oak Woods (2008)

*Purpose:* To preserve open space and habitats.

Oak Woods (2013)

*Purpose:* To preserve open space and habitats.

*Boundaries:* Boundaries correspond to undisturbed, wooded parcels.

*Future Action:* Continue to investigate and encourage land protection measures.

**Coles Brook**

Coles Brook (2008)

*Purpose:* To protect water resources and habitats.

Coles Brook (2013)

*Purpose:* To protect water resources and farmland.

*Boundaries:* Boundaries correspond to target parcel along Brook.

*Future Action:* Continue to investigate and encourage land protection measures.

**Gammino Pond**

Gammino Pond and Library Park(2008)

*Purpose:* To protect water resources and public open space.

Gammino Pond (2013)

*Purpose:* To protect water resources – including a DEP Zone II Aquifer and a DEP High-Yield Aquifer – and public open space. Community representatives renamed this PA in order to more clearly describe its purpose.

*Boundaries:* Boundaries correspond to selected parcels.

*Future Action:* Continue working on creating passive recreation opportunities such as trails, birding, fishing, etc.

**Runnins River Headwaters**

Runnins River Headwaters (2008)

*Purpose:* To protect the headwaters of the Runnins River.

Runnins River Headwaters (2013)

*Purpose:* To protect the headwaters of the Runnins River and BioMap2 Core Habitats and Critical Natural Landscapes.

*Boundaries:* Boundaries correspond to selected parcels that encompass the headwater wetland network.

*Future Action:* Continue to investigate and encourage land protection measures.

**Clear Run Brook Farmland**

Clear Run Brook (2008)

*Purpose:* Protection of Chapter 61A farmland

Clear Run Brook Farmland (2013)

*Purpose:* Continued protection of active agriculture and Chapter 61A farmland Community representatives renamed this PA in order to more clearly describe its purpose.

*Boundaries:* Boundaries correspond to selected farmed parcels.

*Future Action:* Continue to investigate and encourage land protection measures.

**Runnins River APR**

Runnins Protection Area (2008)

*Purpose:* To protect water resources.

Runnins River APR (2013)

*Purpose:* To protect water resources – including a DEP Medium-Yield Aquifer, BioMap 2 Core Habitats and Critical Natural Landscapes, and active agriculture. Community representatives renamed this PA in order to more clearly describe its purpose.

*Boundaries:* Boundaries correspond to selected parcels.

*Future Action:* Continue to investigate and encourage land protection measures.

**Four Town Farms**

Four Town Farms (2008)

*Purpose:* To protect active agriculture and farmland.

Four Town Farms (2013)

*Purpose:* To protect active agriculture and farmland.

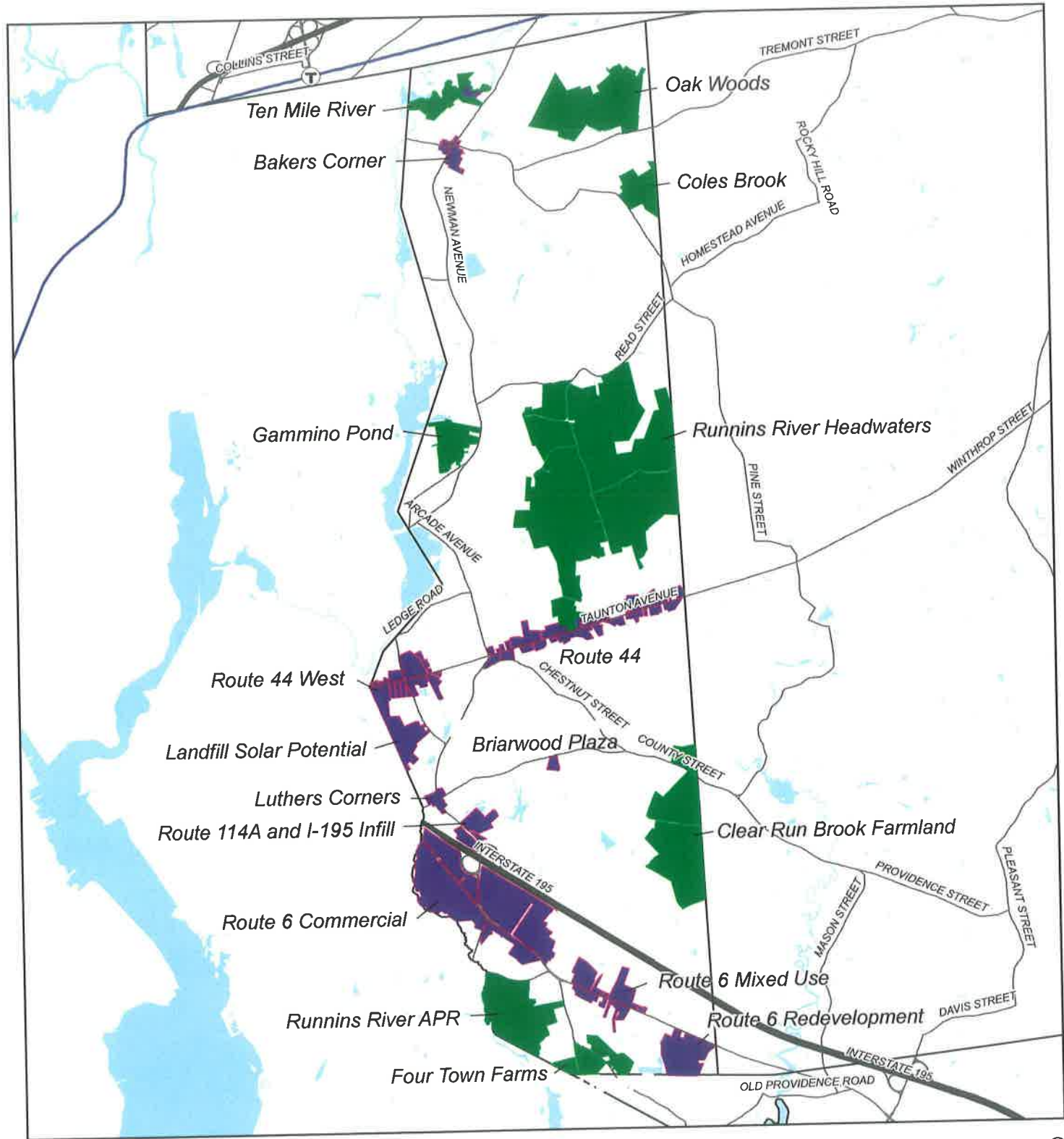
*Boundaries:* Boundaries correspond to selected parcels.

*Future Action:* Continue to investigate and encourage land protection measures.

**DELETED PRIORITY AREAS**

**Golf Course PDA, Monroe/Stisson Corners Village Center, Heritage Heights Neighborhood Node PDA, Potential 40B Combined PDA/PPA, Redevelopment/Reuse Area Combined PDA/PPA, and Glover’s Island PPA:** Community representatives chose to remove these PAs because they no longer represented first-tier growth priorities.





## South Coast Rail Priority Area 5-Year Update

### Seekonk

Map 1: DRAFT Proposed 2013 Community Priority Area Designations. *Please note that relationships to 2008 designations will be reviewed during the public workshop using interactive GIS.*

- Proposed 2013 Priority Development Areas (PDAs)
- Proposed 2013 Priority Protection Areas (PPAs)
- Water
- Municipal Boundaries
- Interstates
- Arterials and Collectors
- Local Roads
- MBTA Proposed Stations
- MBTA Proposed Rail Lines

This map is for the sole purpose of aiding regional planning decisions and is not warranted for any other use.

February 2013



***TOWN OF SEEKONK***  
***Planning Board***

**MEMORANDUM**

**To:** The Planning Board

**From:** John P. Hansen Jr., AICP, Town Planner

**Date:** May 1, 2013

**Re:** April monthly report

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**BYLAWS**

Zoning Bylaw rewrite

- First draft of zoning framework being completed

**PLANS**

Master Plan

- Implementation on-going

**MISC**

Solar Overlay Amendment

- Public hearing to be held in May

Medical Marijuana Treatment Centers Temporary Moratorium

- Public hearing to be held in May

GIS

- Completing town-wide wetlands GIS file based ConCom approved plans.

**SUBDIVISIONS**

Orchard Estates

- Construction has begun; Drainage installed.

Tall Pines

- Construction on-going; Drainage, bridge, and binder installed

Madison Estates

- Construction to commence.

Caleb Estates

- Construction ongoing; Binder installed.

Ricard St. Extension

- Sub-base installed.

Pine Hill Estates

- Approved

Jacob Hill Estates

- Preliminary Plan approved.

Country Brook Estates

- Preliminary Plan approved; Definitive Plan submitted

**SITE PLANS**

New England Natural Foods

- Site Plan withdrawn



# Planning Board Members

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**TOWN PLANNER – JOHN HANSEN 508-336-2962**  
**Secretaries – Chris Testa, Florice Craig 508-336-2961**

## **SEEKONK PLANNING BOARD**

### **Regular Meeting Minutes**

#### **April 9, 2013**

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Present: Ch. Abelson, M. Bourque, R. Bennett, L. Dunn, D. Viera  
J. Hansen, Town Planner

Absent: R. Horsman, S. Foulkes (with cause)

7:00 pm Ch. Abelson called the meeting to order.

#### **Reorganization of the Planning Board**

A motion was made by M. Bourque and seconded by D. Viera and it was unanimously

**VOTED: To make N. Abelson the Chairman of the Planning Board**

A motion was made by M. Bourque and seconded by L. Dunn and it was unanimously

**VOTED: To make R. Bennett the Vice Chairman of the Planning Board**

A motion was made by L. Dunn and seconded by R. Bennett and it was unanimously

**VOTED: To make M. Bourque Clerk of the Planning Board**

A motion was made by M. Bourque and seconded by D. Viera and it was unanimously

**VOTED: To make L. Dunn Vice Clerk of the Planning Board**

#### **Appoint SRPEDD Representative**

A letter from SRPEDD was received seeking reappointment for a SRPEDD representative from the Planning Board. A motion was made by M. Bourque seconded by R. Bennett and it was unanimously

**VOTED: to appoint Phoebe Lee Dunn Planning Board SRPEDD Representative.**

#### **Appoint CPC Representative**

A motion was made by D. Viera and seconded by R. Bennett and it was unanimously

**VOTED: to appoint N. Abelson Planning Board CPC Representative.**

### **Site Plan Review: 1683 Fall River Ave.**

J. Hansen summarized that the applicant was looking to have an auto sales business with four display vehicles. He noted that there was more than adequate parking.  
He summarized the facts:

#### Existing Conditions

- Vacant business

#### Proposal:

- Introduce auto sales business with 4 display vehicles.
- **Section 10.6.1 - Parking**-2-3 parking spaces required for automotive retail and sales use (12 existing/8 for customers and employees).

#### Waivers Required:

- None

J. Hansen recommended that an approval of the Site Plan for Michael Ferreira, dated of 2/28/13, be given.

A motion was made by D. Viera and seconded by L. Dunn and it was unanimously

**VOTED: to approve the Site Plan for Michael Ferreira, dated of 2/28/13.**

### **Partial Covenant Release: Tall Pines**

J. Hansen summarized the applicant for Tall Pines requested a partial covenant release for said subdivision. The original construction cost estimate of ±\$750K has been reduced to ±\$292K based on the work that has been completed by the applicant and inspected and approved by the Board's inspector, GPI.

The method of surety proposed by the developer is to keep a covenant over three (3) lots within the development (lots 5-7) and release the covenant from 3 lots (8-10). Based on the average purchase price of other subdivision lots in town at \$125K, a covenant for 3 lots appears to be adequate to cover the remaining construction costs.

J. Hansen noted upon his inspection of the site to date, they had not put up the spilt rail fence that is required to delineate where the limit of disturbance area is.

A motion was made by D. Viera and seconded by M. Bourque and it was unanimously

**VOTED: to not release the partial covenant until a spilt rail fence was constructed. It will be put on the next Planning Board meeting agenda.**

**Discussion: Zoning Bylaw Amendment – Section 9.8 – Solar Photovoltaic Overlay District**

The applicant Nicole Fisk introduced herself and turned the meeting over to her engineer on the project, Otis Wyatt.

Otis Wyatt showed the board plans for the site they were asking to be included in the solar overlay district. He went on to say that the zoning was mixed and it is a total of approximately 35 acres. He said the property was intersected with different utilities, a high voltage line and the Mobil Pipeline. He went to say what they were proposing was a large solar farm. He said it works well on the proposed site because it has an electric grid that can handle the capacity of a solar generating site. He noted that the abutting land is residential along Woodland Ave. and across the street is the railroad, industrial buildings and some vacant land.

J. Hansen mentioned that his proposed change to the Zoning Bylaw Amendment would not be adequate for what they were talking about because some portions of the property are zoned residential. He said the Board would need to think about if they were in favor of this and how it could incorporate that site. He also said he would probably have to amend the proposed amendment to include the plat and lot for the site rather than having a blanket statement that all industrial districts sites shall be included.

Further discussion

A motion was made by L. Dunn and seconded by D. Viera and it was unanimously

**VOTED: that the Planning Board sends a memo to the ZBA urging them to make any decisions subject to the standards in the Solar Overlay District**

J. Hansen went on to ask the Board what they wanted the bylaw to say.

R. Bennett said that they should model it after what is written in the Mass. General Law.

N. Abelson said it should remain consistent.

Further discussion

J. Hansen summarized what they will proceed to do is allow the Solar by-right in all industrial zones and rezone the small 6+ acre piece of land from residential to industrial.

A motion was made by D. Viera and seconded by L. Dunn and it was unanimously

**VOTED: that the Planning Board will hold a Public Hearing to: 1) amend the Solar Overlay District to include all industrial lands and 2) rezone a 6+ acre residential zoned piece of land, owned by the Fisk's, to industrial.**

## **Correspondence**

- J. Hansen summarized that Planning Board member S. Foulkes had shown interest in putting in place a bylaw or temporary moratorium on Medical Marijuana Treatment Centers. He mentioned that she had gone to a seminar regarding this subject. He went onto say that he had asked the Health Agent, Police Chief, and Tax Assessor for their comments on this subject. The Police Chief commented he would be behind something to regulate medical marijuana.

J. Hansen asked the Board if they wanted to put a temporary moratorium in place. He said a public hearing could be held in May. He noted if the town did nothing to have a moratorium or a bylaw in place there could be five Medical Marijuana Treatment Centers within the county per the new Massachusetts law.

The Planning Board decided to hold a Public Hearing to amend the Town's Zoning Bylaws by adding a new section 26, Temporary Moratorium on Medical Marijuana Treatment Centers.

- J. Hansen reported that the State approved funding in the year 2017 for safety improvements for left hand turn lanes at County Street and Fall River Avenue.
- R. Bennett summarized to the Board that he attended the Southeastern Bicycle Summit. He said he spoke with people involved with the promotion of a bike path from Fall River, MA to Fairhaven, MA. He noted that he made some contacts and suggested to them the he was trying to promote a bike path to go through Seekonk, Rehoboth and Swansea.

J. Hansen mentioned that the DOT has changed their minds and are now interested in bike trails alongside active railways.

- J. Hansen reported to the Board that after researching the matter of making a hydro-geologic study part of the by-laws, he did not find any towns that had this as part of their bylaws. He spoke with Horsley Witten and they indicated that it would be huge burden to require and that is why it isn't found in any town by-laws. He also mentioned that the BOH is looking at their regulations concerning this matter.

Further discussion

J. Hansen said he would talk to the Health Agent about the subject and report back to the Board.



**Approval of Minutes: 3/12/13**

A motion was made by R. Bennett seconded by L. Dunn and it was

**VOTED: to approve 3/12/13 Planning Board minutes**

**By: Ch. Abelson, R. Bennett, L. Dunn, M. Bourque,**

**Abstain: D. Viera**

**Adjourn**

A motion was made by M. Bourque and seconded R. Bennett and it was unanimously

**VOTED: to adjourn at 8:30 PM**

Respectfully Submitted by,

Florice Craig